

REMARKS

Claim Rejections

Claim 5 — 35 U.S.C. § 101

Claim 5 has been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claim 5 has been canceled without prejudice or disclaimer thereby rendering this rejection moot.

Claims 1-9 — 35 U.S.C. § 102(e)

Claims 1-9 have been rejected under 35 U.S.C. § 102(b) as allegedly being unpatentable over U.S. Pat. No. 6,820,265 to Stamper *et al.* (“Stamper”). As noted above, claim 5 has been canceled without prejudice or disclaimer. Applicants traverse the rejection of the remaining claims.

Stamper is directed to a system and method for sharing data between separately executable video games (column 1, lines 7-10), for example, a video game and subsequent versions of the video game (column 1, lines 33-48). As disclosed by Stamper, a first program is executed, and information pertaining to the first program is stored in memory (column 4, lines 6-15). Subsequently, a second program being executed queries for shareable information (column 4, lines 41-44). The second program includes logic for retrieving information previously stored by the first program (column 5, lines 2-4). In other words, a first video game automatically stores information related to playing parameters of that game which may then be automatically accessed by a subsequent video game.

On the other hand, exemplary embodiments of Applicant's invention allow a player or players to name and save data related to playing a video game, and to subsequently recall the desired data by name in order to play the game using the desired game related data. Further,

exemplary embodiments of Applicant's invention provide for easy identification and selection of frequently used data from a selection list even when a large number of named game-related data files have been saved.

Since Stamper discloses a first program that automatically stores game data and a second separately executable program that automatically queries memory for applicable stored data, Stamper does not disclose or suggest that a player or players can choose to save or recall desired playing data by name prior to playing a video game. Specifically, Stamper does not disclose or suggest at least primary play candidate data name selection means for selecting one or a plurality of game data names from secondary play candidate data; primary play candidate data name display means for displaying said one or a plurality of primary play candidate data names selected by the primary play candidate data name selection means; or play target data name selection means for selecting one or a plurality of game data names from primary play candidate data names, as set forth in independent claims 1 and 5-9.

Accordingly, claims 1 and 6 -9 are not anticipated by Stamper and are therefore patentable over Stamper. Claims 2-4, which depend from claim 1, should be patentable at least by virtue of their dependence.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "F. Plati", written over a horizontal line.

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Date: September 27, 2007